



SCHOOL BUS, INC.

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DEPARTMENT OF EDUCATION "POINT OF CONTACT" JULY 2008 NEWSLETTER

SDSTA 2008 Summer Meeting

I hope this letter finds everyone in good fortune and health. It is again time for the summer meeting of the South Dakota School Transportation Association. This year the meeting will be held at Pierre, SD in the meeting room of River Cities Transit. The address is **1600 East Dakota**. The meeting will begin at 10:30 am. A meal will be provided on sight. The cost is yet to be determined. It will be somewhere between \$5.00 and \$10.00.

We will be having several speakers addressing the group this year. One will be Jim Shafer. He will be filling us in on matters of interest with the state and national issues. Another speaker will be Sgt. John Broers of the South Dakota Highway Patrol. He will share some thoughts and answer questions from the group concerning this year's school bus inspections. The third speaker will be Jagat Shah of Shah Software Inc. He will speak about the benefits of using routing programs to help run bus operations more efficiently. At least one of our members is currently a client of his.

We will be recognizing some retirees and some 25 years of service award recipients. Also the South Dakota School Bus Driver of the Year will be honored. We will finish the day with the business meeting. There will be two openings to fill on the Board of Directors. The terms of Gene Deyo and Tim Steichen will expire this year. Both of these positions must be from the Public School (which does include Head Start) membership.

Please make your plans to attend the summer meeting of your Association. It is your involvement that helps make the SDSTA a success.

Tim Steichen, SDSTA President

PS: With the high cost of gas/fuel, call a member in your area or on your way and share a ride with fellow members.

Comments on CDL Testing

The Federal Motor Carrier Safety Administration is proposing to make a number of changes to CDL testing and licensing, primarily affecting how states implement the program. Two of the proposed changes could adversely affect school bus carriers, though: a proposal to require drivers to wait 30 days between taking the knowledge tests and skills tests, and a proposal to require all third-party testers to conduct at least 50 tests per year. NSTA has submitted comments on these two issues. Regarding the 30-day wait period, FMCSA claims that it is necessary to counter the practice of "CDL mills" that train drivers only to pass the skills test rather than train them to drive safely. NSTA explained that the school bus industry is the only highway mode that provides free or paid training to CDL applicants in preparation for licensing. This training is generally conducted by state-certified instructors following a state-mandated curriculum. It is not in the interest of school bus carriers to rush driver applicants into licensing before they are fully trained to operate buses safely; unlike a commercial driving school whose business depends on moving students in and out of the school quickly, a school bus carrier's business depends on well-trained, safe drivers. NSTA disagrees with FMCSA's assumption that a driver needs a minimum of 30 days' behind-the-wheel training, since the experience of our members indicates that many school bus driver applicants can be adequately trained not just to take the test but to drive a bus safely in ten days or less, depending on such factors as skill level and time spent in training each day. Requiring drivers to wait longer than necessary to take their skills test will impose a hardship on both drivers and employers. We suggested that FMCSA amend this provision of the NPRM to apply only to driver applicants who receive their training from commercial driving schools, and exempt those applicants who receive their training from employers, who have a much larger stake in the proficiency of drivers than the schools do. On the issue of third-party testers, we noted that many NSTA members are certified as third-party CDL testers. The vast majority test only their own prospective employees, though some also test applicants of neighboring school bus carriers. With a turnover rate of about 20% in the school bus industry, a carrier that is restricted by the state to

testing only its own applicants would need a fleet of at least 250 vehicles to meet the minimum. Less than 20% of all school bus companies is that large, which means that 80% of the industry would be unable to meet the proposed requirement. Rescinding the certification of these carriers would put a burden on the carriers, the drivers, and the state for no good purpose. FMCSA provides no evidence that small school bus companies and the examiners who are employed by them have failed to carry out their duties, or that they are inefficient. On the contrary, allowing small employers, often in rural areas, to conduct CDL tests relieves drivers of the need to travel long distances and wait long periods for a test date; relieves carriers of the need to send buses and licensed drivers across the county to accompany trainees to a test site; and relieves the state of the need to employ additional testers and set up additional test sites in order to accommodate school bus driver applicants. NSTA recommended that the decision to require a minimum number of tests per third-party tester and individual examiner be left to the states, as they are in a better position to weigh the benefits than FMCSA.

Hitting Fixed Objects

A basic principle from High School physics states that 2 objects cannot occupy the same space at the same time. When your vehicle is one of these objects, damage from a collision will occur. It appears that hitting a fixed object should be avoidable since you have complete control over your vehicle (the fixed object can't move) you should be able to avoid occupying that same space. Loss histories however, tell a very different story. Let's examine some of the dynamics of this type of loss and ways to minimize it happening. First let's look at the two objects, your vehicle and the fixed object. That fixed object could be another vehicle, a tree, a signpost, a building, a tree, an overhanging sign, etc. The fixed object has a defined position and size. Your vehicle also has a defined size but must move into the space occupied by the fixed object. OK, so much for common sense. In analyzing these types of losses consider several factors. First, where are these collisions occurring? Are these regular locations visited by your fleet or unfamiliar ones? Regular visited locations can be inspected for possible clearance issues that might be corrected (move the fixed object). Unfamiliarity would of course create a greater potential. Minimizing these losses will depend on driver training and action. Second, what activity is taking place during these collisions? Are drivers trying to park, back, or maneuver through heavy traffic such as at a sporting event? Are there other factors occurring at the same type such as large crowds of pedestrians? If they same activity is occurring then driver training can be more focused. Third, do drivers recognize and understand the full size of the vehicle (length, width, and height)? Do they recognize how much space it takes to turn the vehicle (right or left) or back the vehicle? Do drivers recognize the vehicle's blind spots? Are mirrors properly adjusted? A closed course set up with cones to demonstrate these parameters can be helpful. Also consider if drivers are making smart choices such as avoiding backing, backing straight in or only to the driver side if possible, or using the steps to prepare for and proceed with backing (looking behind vehicle, listening, and moving SLOWLY). Avoid getting into tight spaces (don't just follow the leader). Drivers' attention to their cushion of safety is paramount to avoid collisions with fixed and moving objects. Drivers normally have more time to choose more available options to avoid hitting fixed objects but they must be AWARE of them in order to do this. Driver training remains the key ingredient to avoiding these types of collisions. Drivers should understand they can avoid these mistakes by maintaining a large awareness of their surroundings (their cushion of safety), determining the available space to maneuver their vehicle, correctly adjusting their mirrors, being aware of their blind spots, proceeding slowly, and practicing proper backing techniques (only if backing is absolutely required). Drivers should be proactive in not getting their bus or vehicle into a tight area. Practice on closed courses using cones can create more confidence and understanding of the maneuverability of the vehicle. Remember that if two objects are trying to occupy the same space at the same time and one of these is fixed, only the moving object has options.

Transits and School Districts Fight to Retain Illegal School Bus Service

The Federal Transit Administration's announced intention to clarify and enforce their school bus regulation has elicited a storm of protest from transit agencies, state DOTs, schools, and parents. Out of 250 comments submitted to the docket, only 5 support FTA's position. As you recall, FTA published a Notice of Proposed Policy last month in response to the court decision in the Rochester case. In the notice, FTA said that it will respect the court's decision in the Western District of New York, but for agencies in the rest of the country, it wants to resolve "conflicting issues between FTA's school bus operations policy and the Court's decision." FTA proposed to interpret tripper service more narrowly than the Rochester Court. It would allow transits to (1) utilize various fare collections or subsidy systems, (2) modify the frequency of service, and (3) make minor route deviations from existing route paths in the immediate vicinity of schools to stops located at or in close proximity to the schools. But it would not allow transits to design new service that bypasses the regular route system in favor of direct service from neighborhoods to schools. FTA also clarified its interpretation of "exclusive" school bus operations. The Rochester Court interpreted "exclusive" very broadly in determining that since it is theoretically possible for a nonstudent to ride the bus—even if none ever does so—the service is not exclusive. FTA's proposed interpretation of "exclusive" is "any service that a reasonable person would conclude primarily was designed to accommodate students and school personnel, and only incidentally to serve the nonstudent general public." According to the Notice, this interpretation will allow it to implement "the express intent of Congress, which is, to prevent unfair competition between federally funded grantees and private school bus operators." The American Public Transportation Association (APTA) coordinated a full-press attack on FTA's proposal. They succeeded not only in getting a large number of their member agencies to submit comments, but also in convincing four national education associations, including National School Boards Association, to sign onto APTA's comments. Many school districts (including Dayton and Sioux City, where NSTA

has pending complaints) weighed in against the proposal. Local transit agencies, particularly in California, reached out to parents, scores of whom wrote that their children would not be able to get to school without the transit school routes. While the school bus industry clearly has the safety advantage, that appears to take a back seat to cost and convenience for both the school districts and the parents who commented. And while FTA is committed to upholding both the letter and the spirit of St Germain, it will be difficult in the face of so much opposition. In fact, St Germain itself may be at risk, since at least three Members of Congress sent comments supporting the ability of transits to provide school transportation as a way to save money for school districts and increase access for students. The stakes here are very high. As you recall, Rochester schools transferred more than 100 routes from Laidlaw to the transit district; other schools are moving from their own school bus service to transit without considering private service. If FTA loses the ability to enforce its school bus regulation—or worse, if Congress rescinds St Germain—that kind of transfer will occur throughout the country. Several of the comments stated that having two separate fleets—school buses and transit buses—is redundant and a waste of taxpayer money. A group called Public Advocates went so far as to say, “The yellow school bus is a thing of the past...” It is up to NSTA and our allies to make sure that statement does not come true.

Recalls

Blue Bird is recalling 23,464 MY 2005-2009 All American and Vision transit and conventional school buses manufactured from January 22, 2004 through March 28, 2008, and MY 2004-2007 All American transit and conventional school buses manufactured from March 6, 2003 through June 16, 2006. The rivet pattern may be incorrect in sections of the rear roof sheet joint that attaches to the rear roof cap. Without the appropriate number of roof rivets, the buses fail to conform to the requirements of FMVSS 221, "Joint Strength." The roof may collapse in a crash. Blue Bird will inspect and repair the buses by adding additional rivets. The recall is expected to begin on or about July 18, 2008.

REMEMBER TO REGISTER FOR THE 2008 ANNUAL SCHOOL BUS DRIVER TRAINING and TRAIN the TRAINER SESSIONS

The first TTT session will be in Sioux Falls, SD on Monday, July 21, 2008 at School Bus, Inc., 5100 W 8th St. (from the intersection of 8th St & Marion Rd, go 1 block east on 8th St).

The second TTT session will be in Pierre, SD on Tuesday, July 22, 2008 at the Cultural Heritage Center Building. The address is 900 Governors Dr. – it is the next building located NE of the state Library. Take the street (E Broadway St) on the North side of the State Capitol and go east to Governors Drive. Turn north and go to the address above.

The third TTT session will be in Rapid City, SD on Thursday, July 24, 2008 at the Rapid City School District Transportation Facility, 3775 S Hwy #79 (Cambell St). It is located about 2 blocks south of the intersection of Cambell and Fairmont, take the service road to the school complex and then to building “D”.

Each session will be from 8:00 AM to 3:00 PM. There will be a lunch break from 12:00 to 1:00. Attendees will be responsible for their own meals and room if they wish to stay overnight.

Concerns have been expressed to the State concerning the quality of training by some TTT's. This year each TTT will be required to give out evaluation forms for each class given. Classes may be limited to the capacity of the room. Please register early. These will be the only three TTT classes held this year. Cost for each attendee will be \$75.00 per person. You may bring a check made payable to School Bus, Inc. the day of the training, pre-pay by sending us a check in the mail or we will bill the company (cost for non-tax exempt companies attending in the following cities will be: Sioux Falls \$79.44 w/tax, Pierre & Douglas \$79.50 w/tax) or school district after the training is completed. School Bus, Inc. will purchase three sets of training CD's for the TTT to use for their training. All attendees should bring a notebook, pen and pencil for the classes. The deadline for TTT registration will be Friday, July 3, 2008 for all three classes. You may register for any class by calling Jim Shafer (605-334-6644), sending a fax (605-334-4245) or an email to: jimschoolbusinc.sfsd@k12.sd.us Please reference “TTT, date and location you wish to attend”.

The following link is to a PDF file that has of all this summer current training dates listed.

<http://doe.sd.gov/oatq/transportation/docs/2008%20BUS%20DRIVER%20TRNG%20ANNOUNCEMENT.pdf>

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